

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**CRYSTAL BYRD and BRIAN BYRD,** )  
Individually and on Behalf of all )  
Similarly Situated Persons, )  
Plaintiffs, )  
vs. ) Civil No. 11-101  
AARON'S, INC., )  
**ASPEN WAY ENTERPRISES, INC.,** )  
d/b/a Aaron's Sales and Leasing, )  
a franchisee of AARON'S, INC.; )  
**JOHN DOES (1-45) AARON'S** )  
**FRANCHISEES; and** )  
**DESIGNERWARE, LLC,** )  
Defendants. )

**MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT**

Pursuant to Fed. R. Civ. P 15(a) and (c) and for the reasons stated in the accompanying brief, Plaintiffs respectfully move this Honorable Court for leave to file a Third Amended Complaint (1) to substitute the names of the John Doe defendants and (2) to add a new claim for Injunctive Relief based on newly-discovered evidence. Injunctive relief is necessary because the defendants have done nothing to notify or protect the Class regarding the disclosure of Class members' personal and confidential information, even though the original complaint was filed on May 3, 2011. A proposed form of order and the proposed Third Amended Complaint are attached.

Dated: February 27, 2013

Respectfully submitted,

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BERMAN**  
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**ATTORNEYS FOR PLAINTIFFS AND  
PROPOSED CLASS**

**CERTIFICATE OF SERVICE**

I, Andrea S. Hirsch, certify that a copy of the foregoing was mailed via ECF to all counsel of record.

/s/ Andrea S. Hirsch  
Andrea S. Hirsch  
Attorney for Plaintiffs